

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ANTHONY HAMMOND MUPRHY,)	
)	Civil Action No. 1:22-cv-0305-RAL
Plaintiff,)	
v.)	
)	
SPINN, INC.,)	
)	<i>Electronically Filed</i>
Defendant.)	

STATUS REPORT

Plaintiff, Anthony Hammond Murphy, respectfully submits this Status Report.

On March 18, 2023, Plaintiff filed a Notice of Conclusion of Action in this matter (ECF No. 13). By text entry on March 22, 2023, counsel was “*ordered to file a Stipulation of Voluntary Dismissal pursuant to Federal Rule of Civil Procedure 41(a)(1)(i) on or before April 24, 2023. Should said Stipulation not be filed by that date, Counsel for the Plaintiff is directed to file a written status report updating the Court on the progress made toward effectuating the settlement.*”

Thereafter, on April 24, 2023, Plaintiff filed a status report stating that, “[d]espite considerable progress toward the voluntary dismissal of this case. . . .the parties submit that the case should be dismissed on or before May 15, 2023 and respectfully request an extension of time until May 15, 2023 to do so.” (ECF No. 14).

During the interim, Plaintiff reached an opposite conclusion, therefore, he filed another Status Report on June 13, 2023, whereby “counsel regrettably advise[d] the Court that he was mistaken in his view that the action had concluded[,]” and respectfully requested “the Court reopen the case. . . .” (ECF No. 16).

In response, the Court issued a text Order directing the Clerk to “REOPEN this matter as an active case on the Court's docket. A Status Conference is hereby scheduled for July 6, 2023,

beginning at 10:00 AM, before Chief United States Magistrate Judge Richard A. Lanzillo, in the Chambers, Room A-280, United States Courthouse, Erie, Pennsylvania.” (ECF No. 17).

Since June 13, 2023, counsel for the parties have conferred, providing Plaintiff with a better understanding of hardships experienced by the Defendant which hampered the conclusion of this matter. Plaintiff now believes the Defendant is proceeding in good faith and candor to conclude this action, however, due to unforeseen circumstances, the parties require an additional 90 days to either voluntarily dismiss the case, or to stay the matter.

WHEREFORE, Plaintiff respectfully requests this Honorable Court suspend the July 6, 2023 hearing currently scheduled in this case, and provide the parties with 90 days to either voluntarily dismiss the case, or to stay the matter.

June 26, 2023

Respectfully submitted,

By: s/ Lawrence H. Fisher
Lawrence H. Fisher, Esq.
Counsel for Plaintiff